

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

THOMAS LEE BELL,

Plaintiff,

vs.

J. SULLIVAN, et al.,

Defendants.

1:05-CV-00515-REC-DLB-P

ORDER GRANTING APPLICATION TO  
PROCEED IN FORMA PAUPERIS

(DOCUMENTS #2 & #6)

Plaintiff is a state prisoner proceeding pro se. Plaintiff seeks relief pursuant to 42 U.S.C. § 1983 and has requested leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. This proceeding was referred to this court by Local Rule 72-302 pursuant to 28 U.S.C. § 636(b)(1).

Plaintiff has submitted a declaration that makes the showing required by § 1915(a). Accordingly, the request to proceed in forma pauperis will be granted. 28 U.S.C. § 1915(a).

Pursuant to 28 U.S.C. § 1915(b)(1), enacted April 26, 1996, plaintiff is required to pay the statutory filing fee of \$250.00 for this action.<sup>1</sup> Plaintiff has been without funds for six months and is currently without funds. Accordingly, the court will not assess an initial partial filing fee. 28 U.S.C. § 1915(b)(1). Plaintiff is obligated to make monthly payments of 20 percent of the preceding month's income credited to plaintiff's prison trust account. These payments shall be collected and forwarded by

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<sup>1</sup> The statutory filing fee for all civil actions except applications for writs of habeas corpus is \$250.00. See 28 U.S.C. § 1914(a).

1 the appropriate agency to the Clerk of the Court each time the amount in plaintiff's account exceeds  
2 \$10.00, until the filing fee is paid in full. 28 U.S.C. § 1915(b)(2).

3 In accordance with the above, IT IS HEREBY ORDERED that:

4 1. Plaintiff's request for leave to proceed in forma pauperis is granted.

5 2. Plaintiff is obligated to pay the statutory filing fee of \$250.00 for this action. The fee  
6 shall be collected and paid in accordance with this court's order to the Director of the California  
7 Department of Corrections filed concurrently herewith.

8  
9 IT IS SO ORDERED.

10 **Dated: August 29, 2005**  
11 3c0hj8

**/s/ Dennis L. Beck**  
UNITED STATES MAGISTRATE JUDGE